

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for having further considered the amendments made in response to the previous Office Action. In this non-final Office Action, the Examiner has again rejected the claims under 35 U.S.C. §103(a) in view of Martinez (US Application 20020142792) in combination with the Moton (US Patent 7,116,977).

Applicant notes that the Examiner has chosen to rely upon a “teaching, suggestion, motivation” analysis to justify the proposed combination of references and that the current rejections under 35 U.S.C. §103(a) are based on this analysis. Accordingly, Applicant’s comments below respond in that context. Should the Examiner choose to base a further obviousness rejection upon a different analysis using these references, it would constitute a new ground for rejection not due to any action on the part of Applicant, and on which Applicant is entitled to be heard.

The following limitations

wherein the first and second notification profiles each define respective notification control options that apply to the notification of events generated by at least two different event generating and handling components on the device wherein the event generating and handling components on the device include at least two of an alarm, a calendar, email, phone and SMS

are found, appropriately worded as needed, in each pending independent claim (1, 10, and 20). The Examiner has asserted that these limitations are disclosed in Martinez at paragraphs 0021-0026, 0030, 0032 and 0037-0040. Applicant has reviewed these passages and disagrees with the Examiner that the passages cited disclose the currently claimed limitations.

Martinez only describes changing notification attributes of a cell phone, which is only *one* “event generating and handling component.” Martinez does not describe changing attributes of “at least two different event generating and handling components” as described and claimed in the present application. The multi-function handheld device described in the present application has two or more “event generating and handling components”. In particular, with reference to the claim language cited above, these “event generating and handling components” include at least two of an alarm, calendar, email, phone and SMS. Accordingly, the first and second notification profiles affect the notification behaviour of not just a single “event generating and handling component”, i.e. not just the cell phone notification, but of *at least two different event generating and handling components*. For example, Applicant’s technology would enable a single notification profile

to control the manner in which the cell phone notifies the user in addition to the manner in which one of the alarm, calendar, email and SMS notifies the user. In other words, the notification profiles affects how events generated by at least two different components of the device are handled. Martinez only describes modifying the notification behaviour of a single component, i.e. the cell phone.

The passages cited do mention a calendar, but this calendar is a *trigger* for the cell phone, not a component whose own notification behaviour can be modified by the same notification profile. In other words, the calendar mentioned in Martinez is used to enter events which trigger various profiles on the phone (home, work, holiday, etc.) However, a fundamental distinction is that Martinez does not in any way describe how events or reminders in the calendar component itself are notified to the user of the phone. For example, when a calendar appointment is coming due, how is the reminder notified to the user? Does the reminder cause the device to beep or vibrate depending on the *same* notification profile that governs how the cell phone behaves? The answer is clearly no. Martinez is entirely silent on this point. Thus, Martinez in no way contemplates or otherwise intimates that the manner in which calendar events or reminders are notified to the user is modulated or controlled by the same notification profile that controls how the cell phone component behaves. This improvement over the current state of the art is of capital importance since it enables the user to set a single profile that affects the notification behaviour of all (or at least two) "event generating and handling components" on the device.

Applicant therefore reiterates that Martinez does not disclose the presently claimed elements of the "first and second notification profiles", where "each notification profile defines notification options that apply to the notification of events generated by at least two different event generating and handling components on the device wherein the event generating and handling components on the device include at least two of an alarm, a calendar, email, phone and SMS" (emphasis added). Martinez discloses a single event generating and handling component, which is the phone. Martinez does not describe the multi-component mobile device as presently claimed, where each of at least two notification profiles has options that apply to at least two of the different components. The notification profiles thereby control the way in which multiple events from a plurality of components are broadcast or displayed on the mobile device. Thus, Martinez does not disclose at least these limitations found in the presently claimed invention.

As stated in the previous response, the elements in the pending claims work within the context of a mobile hand held device which, unlike the Martinez single component cell phone, have multiple event generating and handling components. For example, a typical hand held mobile device of the type described and claimed in the present application may have an alarm, a calendar, an email module, a cell phone and an SMS capability. Each of these different components, i.e. alarm, calendar, email, phone and SMS, are capable of generating and handling events separately from the other components, e.g. an incoming call, a meeting/event stored in a calendar or an alarm setting. Any of these multiple event generating and handling components can therefore generate an event which is to be handled by the currently applied notification profile, where each selected notification profile has settings applicable to multiple components. For example, on a mobile hand held device of the type described and claimed in the presently pending claims, the currently selected or invoked notification profile will be used upon receipt of an email, upon receipt of a phone call, or upon receipt of an SMS message. Additional events, still by way of example, may be generated when the alarm is set off or when an event or meeting stored in the calendar is about to come due. Applicant has specified that the claimed first and second notification profiles each define respective notification control options that apply to the notification of events generated by at least two different event generating and handling components on the device. The claimed elements mean that a plurality of notifications for different components are controlled by a single profile. In other words, a single notification profile governs the notification behaviour of, for example, an alarm, a calendar, email, phone calls and voicemails, and SMS. This is relevant to a mobile hand held device where there are multiple functions beyond that of the cell phone described in Martinez.

As noted in the previous response, the presently claimed technology therefore enables switching between notification profiles each of which governs the notification of events from disparate components of the mobile device. Applicant respectfully submits that at least these elements are not disclosed in Martinez, nor in Moton. *Arguendo*, even if these references are combined, at least these elements are still not present. Applicant respectfully submits that Martinez describes controlling notifications of a single component, the cell phone. These deficiencies are further not remedied by Moton.

A *prima facie* case for making claims rejections under 35 USC § 103 must include, amongst other requirements, each limitation of the rejected claims (MPEP § 2142).

For at least the reasons discussed above, neither Martinez alone nor, assuming combination with Moton is proper, Martinez in combination with Moton disclose the above-discussed limitations.

Other reasons the *prima facie* case for obviousness has not been met, including but not limited to the existence of a teaching to combine Martinez and Moton, are not addressed herein in light of the arguments just presented. These other reasons are not waived and may be brought forth in future proceedings before the office if needed.

For at least the reasons just discussed, Applicant believes the presently pending claims are patentable over the cited art. Applicant respectfully requests allowance of the presently pending claims.

Respectfully submitted,
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